

**Senate Study Bill 1034 - Introduced**

SENATE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE ON  
LOCAL GOVERNMENT BILL BY  
CHAIRPERSON WILHELM)

**A BILL FOR**

1 An Act expanding Iowa communications network access to include  
2 counties and county governmental units.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 8D.2, subsection 5, Code 2011, is amended  
2 to read as follows:

3 5. a. *"Public agency"* means a state agency, an institution  
4 under the control of the board of regents, the judicial  
5 branch as provided in section 8D.13, subsection 16, a school  
6 corporation, a county, a city library, a library service area  
7 as provided in chapter 256, a county library as provided in  
8 chapter 336, or a judicial district department of correctional  
9 services established in section 905.2, to the extent provided  
10 in section 8D.13, subsection 14, an agency of the federal  
11 government, or a United States post office which receives a  
12 federal grant for pilot and demonstration projects.

13 b. For the purposes of this chapter, *"public agency"*  
14 also includes any homeland security or defense facility or  
15 disaster response agency established by the administrator of  
16 the homeland security and emergency management division of the  
17 department of public defense or the governor or any facility  
18 connected with a security or defense system or disaster  
19 response as required by the administrator of the homeland  
20 security and emergency management division of the department of  
21 public defense or the governor.

22 c. For the purposes of this chapter, a "county" referred to  
23 in paragraph "a" includes departments, boards, commissions, and  
24 other governmental units of the county.

25 Sec. 2. Section 8D.3, subsection 3, paragraph i, Code 2011,  
26 is amended to read as follows:

27 i. Evaluate existing and projected rates for use of the  
28 system and ensure that rates are sufficient to pay for the  
29 operation of the system excluding the cost of construction and  
30 lease costs for Parts I, II, and III. The commission shall  
31 establish all hourly rates to be charged to all authorized  
32 users for the use of the network and shall consider all costs  
33 of the network in establishing the rates. A fee established by  
34 the commission to be charged to a hospital licensed pursuant  
35 to chapter 135B, a physician clinic, a county, or the federal

1 government shall be at an appropriate rate so that, at a  
2 minimum, there is no state subsidy related to the costs of the  
3 connection or use of the network related to such user.

4 Sec. 3. Section 8D.13, subsection 2, paragraph c, Code 2011,  
5 is amended to read as follows:

6 c. "Part III" means the communications connection between  
7 the secondary switching centers and the agencies defined in  
8 section 8D.2, subsections 4 and 5, excluding state agencies,  
9 institutions under the control of the board of regents,  
10 nonprofit institutions of higher education eligible for tuition  
11 grants, and the judicial branch, judicial district departments  
12 of correctional services, hospitals and physician clinics,  
13 counties, agencies of the federal government, and post offices.

14 Sec. 4. Section 8D.13, subsection 15, Code 2011, is amended  
15 to read as follows:

16 15. Access shall be offered to hospitals licensed pursuant  
17 to chapter 135B and physician clinics for diagnostic, clinical,  
18 consultative, data, and educational services for the purpose of  
19 developing a comprehensive, statewide telemedicine  
20 network~~;~~; to an agency of the federal government~~;~~; to a  
21 county, and governmental units thereof as specified in  
22 section 8D.2, subsection 5, paragraph "c"; and to a post  
23 office defined as a public agency pursuant to section 8D.2,  
24 subsection 5. A hospital, physician clinic, an agency of the  
25 federal government, a county, or a post office defined as a  
26 public agency pursuant to section 8D.2, subsection 5, shall be  
27 responsible for all costs associated with becoming a part of  
28 the network.

29

#### EXPLANATION

30 This bill expands the definition of a "public agency",  
31 which is authorized to access the Iowa communications network,  
32 to include counties and their governmental units such as  
33 commissions, departments, and boards. The bill provides that  
34 counties shall be responsible for all costs associated with  
35 becoming a part of the network.